REMARKS

Claims 1-9, 13-21 and 23-28 are pending in the present application, of which claims 2-9, 13-21 and 28 have been withdrawn from consideration. No amendment has been proposed. It is respectfully submitted that this Amendment is fully responsive to the Office Action dated October 20, 2005.

Allowable Subject Matter:

Applicants gratefully acknowledge the indication on page 5 of the Action that claim 25 has been allowed.

As to the Merits:

As to the merits of this case, the Examiner sets forth the following rejection:

claims 1, 23, 24, 26, and 27 stand rejected under 35 USC 103(a) as unpatentable over Anderson (U.S. Patent No. 6,177,958) in view of Hatano (U.S. Publication No. 2003/0133035).

This rejection is respectfully traversed.

The invention according to claim 1 of the present application is featured by "the automatic wide dynamic range-taking mode automatically controls ON/OFF" generation processing of a wide dynamic range, synthesized image by determining based at least on an information set for the image taking among object information or information set for the image taking whether it is suitable for

wide dynamic range image taking or not".

For example, as mentioned in p.40, lines 9 to 13 of the present specification, said information set for the image taking is the information to be set to the camera (image pickup apparatus) by the user before taking an image and, for example, may be an information concerning "a taking mode setting information among a consecutive taking mode, sports taking mode, strobe taking mode, scenery taking mode, and macro-strobe taking mode, or shutter speed or zoom power" as also described in claim 27 of the present case.

With regard to claim 1, the Examiner acknowledges that <u>Anderson</u> "fails to state that the automatic wide dynamic range-taking mode automatically controls ON/OFF generation processing of a wide dynamic range, synthesized image by determining based at least on an information set for the image taking among object information or information set for the image taking whether it is suitable for wide dynamic range image taking or not."[1]

In order to compensate for the above noted drawbacks and deficiencies of <u>Anderson</u>, the Examiner asserts in the bridging paragraph between pages 3 and 4 of the Action that <u>Hatano</u> discloses controlling the generation processing of a wide dynamic range, synthesized image based on motion vectors.

However, <u>Hatano</u> discloses controlling the generation processing of a wide dynamic range, synthesized image based on motion vectors. That is, it appears that the Examiner recognizes "motion

vectors" as "information set for the image taking".

However, "motion vectors" means vector that represents magnitude and direction of the motion of a local image between frames (or fields).

As a method for obtaining motion vectors, there is for example a representative point matching method where they are obtained from accumulation of absolute values of inter-field difference between representative points of one image and corresponding representative points of the other image. In essence, they are obtained by computation with using image data of the one and image data of the other.

Accordingly, these "motion vectors" do not correspond to "information set for the image taking" to be set to the camera by the user before taking an image and on the contrary do correspond to "object information". The fact that "motion vectors" fall under "object information" is apparent from the mentioning in p.38, line 16 to p.39, line 9 of the specification of the present application that motion information of the object becomes important information for ON/OFF switching of SL synthesized image.

As the above, "motion vectors" in Hatano is an "object information", and thus the above described construction featuring claim 1 of the present case is not disclosed in Hatano either.

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[1] Please see, lines 11-16, page 3 of the Action.

In other words, it is respectfully submitted that <u>Anderson</u> and <u>Hatano</u> fail to disclose or fairly suggest, singly or in combination, the features of claim 1 concerning *the automatic wide dynamic range-taking mode automatically controls ON/OFF" generation processing of a wide dynamic range, synthesized image by determining based at least on an information set for the image taking among object information or information set for the image taking whether it is suitable for wide dynamic range image taking or not.*

Dependent Claim 27:

Further, with regard to claim 27, it is respectfully submitted that paragraph 52 of <u>Hatano</u> cited by the Examiner in connection with claim 27 simply describes that an optimal shutter speed can be set when a CCD having high-speed shutter function is used. In other words, it does not disclose at all the above described construction featuring claim 1 of the present case or the features of claim 27 concerning *wherein said information set for the image taking is a taking mode setting information among a consecutive taking mode, sports taking mode, strobe taking mode, scenery taking mode, and macro-strobe taking mode, or shutter speed or zoom power.*

Dependent Claim 24:

In addition, <u>Hatano</u> does <u>not</u> teach the features of claim 24 regarding said motion detecting section detects motion in the object based on short-time exposure image data and long-time exposure image data.

For example, as shown in Fig. 3 of the present application, image data stored in the SE (short-time exposure) memory 6-1 and the LE (long-time exposure) memory 6-2 are transmitted to the CPU 8 such that the motion detecting section 8A can detect motion of the object on the basis of two image data of different exposure amounts.

In contrast, Hatano discloses that a motion vector comparison circuit 207 compares a motion vector of each pixel detected by the motion vector detection circuit 206 with a motion vector between images calculated from the motion vector of each pixel. If a difference of the motion vector of each pixel from the motion vector between images is equal to or larger than a predetermined threshold value, position information of each pixel is supplied to the operation circuit 202 to inhibit synthesization of pixels.

Dependent Claim 26:

With regard to claim 26, it is respectfully submitted that paragraphs [0085-0086] of Hatano fail to disclose or fairly suggest the feature of controlling the generation processing of a wide dynamic range, synthesized image based on an output of said camera shake detection circuit, since in paragraphs [0085-0086] Hatano merely judges whether the motion of each pixel is caused by hand vibration or some other motion and fails to control the generation processing of a wide dynamic range, synthesized image based on the hand vibration.
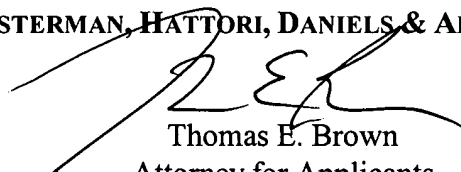
In view of the aforementioned remarks, Applicants submit that that the claims, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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